



**Agenda**  
**Town of Blue River**  
**Regular Meeting of the Board Of Trustees**  
**July 12, 2016**  
**Blue River Town Hall, 0110 Whispering Pines Circle**  
**7:00 p.m.**

**I. WORK SESSION, 5:30 P.M.-ACCESSORY APARTMENTS DISCUSSION**

**A.** Review by Board of Trustees of the past presentations and discussion of next steps.

*a. Public Comment will be welcome under the Regular Meeting Agenda*

**B.** Mayor Pro-tem Toby Babich opened the work session at 5:30 p.m.

- John Dunn worked with the Trustees to review the previous presentations made by Dominic Mauriello and discussed how to move forward with the accessory apartments based on staff recommendations. Recommendations were developed by Dominic Mauriello, Planner; John Dunn, Town Attorney and Kendra Carberry, Attorney.
  - It was decided that there still needs to be more discussed in another work session in August. The Board directed John Dunn to modify the definition of family for an ordinance to be reviewed.
  - The work session ended at 7:03 p.m.
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**II. REGULAR MEETING OF THE BOARD OF TRUSTEES, 7:00 P.M.**

**A.** Mayor Pro-tem, Toby Babich called the regular meeting of the Blue River Board of Trustees to order at 7:11 p.m.

**III. CALL TO ORDER, ROLL CALL**

Dan Cleary  
Tyler Brook  
Laurel Wehrman  
Ken Robertson  
Toby Babich  
Joel Dixon

Mayor Mitch Weiss was excused. Also present were John Dunn, Town Attorney; Michelle Eddy, Town Administrator/Clerk; Brian Brady, Town Marshal.

**IV. READING AND APPROVAL OF THE MINUTES-** June 21, 2016.

Trustee Brook moved and Trustee Cleary seconded to approve the minutes of June 21, 2016 as written. Motion passed unanimously.

**V. APPROVAL OF THE AGENDA**

**VI. COMMUNICATIONS TO TRUSTEES**

*This is an opportunity for Citizens to bring comments and questions to the Board of Trustees not being addressed in the Regular Meeting Agenda. Please limit comments to 3 minutes. Citizens are asked to approach the podium state their name and address for the record.*

**A.** Citizen Comments (Non-Agenda Items Only)

- i. Ed Earthman, 0339 Blue River Rd; had a question about protective covenants and is the town bound by an estoppel? He purchased in 1968 and there were at that time protective covenants at the time that he

- purchased his property and believed this was continued when his area became part of the town. Concern that rules need to be enforced as they existed and should be considered as the board moves forward.
- ii. Scott Hoffman, 0054 Royal Drive; would like to see rules in place that are easy but enforceable and document them so everyone knows the expectations.
  - iii. Cody Thomas, 0053 Royal commented and questioned how would the Town know what is in a house. Response that starts as a complaint and is investigated from there. He noted that there are some assumptions about properties. Discussion that as this moves forward that if an accessory apartment was brought into compliance and licensed, then it will be legal and noted going forward. Mr. Thomas stated that he appreciates the open dialogue and the work sessions.
  - iv. Tanya Delahoz, 0028 Rustic Terrace; noted purchased home with intention of renting space above their garage and did so as a way to pay their mortgage. Feels that allowing accessory apartments are beneficial and needed in the area. Appreciates the work sessions and the conversations. Ms. Delahoz asked that short-term rentals be addressed at the same time.
- B. Citizen Communications (letters & emails)
- i. Trustee Babich noted an email was received from Chris Daly. This was reviewed and answered by the Mayor and was provided as record to the Trustees.

## **VII. CONTINUING BUSINESS**

- A. Engineer Report-Muller Engineer
- a. Project Updates (Sherwood Forest Road Project; Lakeshore Loop; Cisterns)
  - b. Discussion of Capital Road Project Plan, Five and Ten Year Plans
    - i. Audrey Rogers and Whitney Maifarth with Muller Engineering were present to provide the town an update on the road projects.
      - 1. Trustee Babich noted an email was sent out to the homeowners in the Sherwood Forest Subdivision noting the Sherwood road project was tabled and put back in to a long term capital improvement plan and being prioritized properly.
      - 2. Trustee Babich asked for cost and list of potential projects to understand what is needed as the Board plans a retreat to put in a capital improvement plan.
        - a. Audrey handed out a list of what they have drafted so far. Will work on estimating cost for the known projects.
        - b. It was asked to prioritize based on pressing issues. Audrey offered to attend retreat for a session on this discussion.
      - 3. Cisterns-are under construction beginning with location on Highway 9 going in first to complete 2015 grant. Goal to have all four sites Indiana Creek next week; then Wilderness and finally Davis Court by the end of July. Michelle suggested that any unused DOLA funds go back to DOLA for other communities to use.
      - 4. Lakeshore Loop-vegetation has re-established on the slope so the retaining wall will not be necessary, can add road base and grading to exposed areas where guardrail is going in. Tyler is working on bids for the guardrail at \$46,000 is bid received so far. That is wood post with metal rail. Being suggested to use metal post to provide a more solid structure. This will add to the cost. Receiving numbers from Betone for installation.

## **VIII. NEW BUSINESS**

- A. Trustees Retreat
- i. Date/Agenda

It was noted that the date of August 26<sup>th</sup> seemed to work for most people. This will be an all-day retreat. Topics will include a capital road projects plan, strategic planning, code revisions, creating a vision and goals, financials, citizen advisory, Summit County Housing Authority, and developing a staffing plan.
- B. Approval of HR Policies
- i. Discussion on different areas. Noted that it is a living document that can be modified as needed.
  - ii. Trustee Cleary moved and Trustee Robertson seconded to approve the Human Resources Policies for the Town of Blue River to be reviewed at the retreat. Motion passed unanimously.

## IX. REPORTS

### A. Mayor & Trustees Report

- i. Trustee Babich discussed the Summit County Housing Authority and the opportunity to join and what that could mean.
- ii. Trustee Robertson presented the revised town hall expansion plans and asked for any input prior it going back to the contractor.
  1. Trustee Wehrman discussed adding a window to the Marshal office. Discussion of security.
  2. Discussion of how the space would work and what is needed.
  3. Trustee Robertson will set up a meeting with the contractor to see what type of savings will be had with the new design versus the original.
- iii. Trustee Brook gave an update on the roads.
  1. Grading and magchloride was started today and should be done within the next two weeks.
  2. A draft contract has been put together for 2017 establishing deadlines.

### B. Finance Report

- i. Trustee Babich asked about potentially receiving warrant reports earlier for longer review.
- ii. Discussion to better itemize the different items.
- iii. Trustee Babich noted that sales tax will not meet budget this year. It was learned that we could not collect Use tax so there will be a significant amount less. Trustee Babich will confer with the Mayor to have the Town Attorney review what should have been collected and any liability. Also to review and modify the budget accordingly.
- iv. Trustee Cleary moved and Trustee Brook seconded to approve the warrants in the amount of \$28,972.68.
  1. Roll Call
    - a. Cleary-yes
    - b. Brook-yes
    - c. Wehrman-yes
    - d. Robertson-yes
    - e. Babich-yes
    - f. Dixon-yes

### C. Department Reports

- i. Michelle passed around examples of literature to send to new Blue River homeowners welcoming them to the community. She also passed around a postcard to be sent to all residents without email addresses, encouraging them to sign up for the email list.
- ii. Michelle asked if the Board would be interested in hosting a “Founders Day” celebration in August. The Town’s anniversary is August 26<sup>th</sup>. She suggested gathering down at the Tarn, handing out ice cream cups and maybe music 11 a.m.-2 p.m. on August 27<sup>th</sup>.
- iii. Michelle noted the office will be closed beginning Monday, July 18<sup>th</sup>-Tuesday, July 26<sup>th</sup> to attend Clerks University in Denver. Emails will be regularly checked and phone messages returned as time allows. People are encouraged to send emails to [townofbluerivercolorado@yahoo.com](mailto:townofbluerivercolorado@yahoo.com) for assistance and to schedule inspections.
- iv. Brian reported that the radar cart was placed on Spruce Creek Road to collect data on cars coming down from the trail head. There were over 3,600 cars in a four day period. Discussion of working on an agreement with the county for potential maintenance as the road accesses County and Forest Service property and roads.

### D. Attorney’s Report

- i. John Dunn no report.

## X. OTHER BUSINESS

\*Reports from the Town Administrator, Mayor and Trustees; Scheduled Meetings and other matters are topics listed on the Regular Trustees Agenda. If time permits at the work session, the Mayor and Trustees may discuss these items. The Board of Trustees may make a Final Decision on any item listed on the agenda, regardless of whether it is listed as an action item.

There being no further business before the Board, Trustee Cleary made a motion to adjourn the meeting. Trustee Wehrman seconded the motion. Mayor Pro-tem Toby Babich adjourned the meeting at 9:00 p.m.

Approved by:

Respectfully Submitted:

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Mitch Weiss, Mayor

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Michelle Eddy, Town Clerk